UNITED STATES PATENT AND TRADEMARK OFFICE

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10/685,359	10/14/2003	Rohit Satish Kalbag	03-8003	4393

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ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *14 October 2003*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-44* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-44* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1.   Claims 1, 2, 4, 6-8, 15, 28, 32 and 36 are rejected under 35 U.S.C. 102(b) as

being anticipated by Laflin et al. US 5,705,995.

1.1   *Regarding claim 1*, Laflin discloses a method for receiving and storing

messages for a user, comprising:

receiving from a sending party, a message and a category designation for the

message (figures 4 and 11; column 5, lines 31-38; column 7, lines 47-51; column 8,

lines 8-19, 26-37);

storing said message in a storage area corresponding to the category (figure 7;

column 8, lines 8-19, 26-37);

retrieving messages from said storage area based on a choosing category (figure 12; column 9, line 30 to column 10, line 27); and

presenting said messages to the user (figure 12; column 9, line 30 to column 10, line 27).

1.2 **Regarding claim 2**, Laflin teaches choosing from a list category designations (Business, Friends, Family, etc., see figure 7).

1.3 **Regarding claim 4**, Laflin teaches text message (column 9, lines 56-63).

1.4 **Regarding claim 6**, Laflin teaches subscribes to information service, such as Sports, Stocks and News (figure 4; column 5, lines 32-34).

1.5 **Regarding claim 7**, Laflin teaches an alert signal (figure 5, step 111; column 6, lines 31-40).

1.6 **Regarding claim 8**, Laflin teaches a call-back number (Call Fred at 123-4567, figure 7, message #2 in Friends category).

1.7 **Regarding claim 15**, Laflin teaches message numbers (figure 7).

1.8   ***Regarding claims 28 and 32***, Laflin discloses an apparatus for receiving and

storing messages, comprising:

an input controller to receive and categorize messages from a sender to obtain

categorized messages (figures 4 and 11; column 5, lines 31-38);

a plurality of categorized storage area for storing the messages (figure 7; column

7, lines 47-51); and

an access controller for receiving, from the user, a selection of at least one of

said categorized storage area to obtain a selected categorized storage area, to

retrieving said categorized messages from said selected categorized storage area, and

to present said categorized messages the user (figure 12; column 9, line 30 to column

10, line 27).

1.9   ***Regarding claim 36***, Laflin teaches notifying the user of messages (figure 7).

2.   Claims 1, 4, 5, 16 and 18 are rejected under 35 U.S.C. 102(b) as being

anticipated by O'Neal US 6,411,685.

2.1   ***Regarding claim 1***, O'Neal discloses a method for receiving and storing

messages for a user, comprising:

receiving from a sending party, a message and a category designation (dialed

telephone number or e-mail address of the recipient) for the message (figures 2a, and

4a; column 8, lines 22-38; column 11, lines 27-27);

storing said message in a storage area (database 30) corresponding to the

category (figure 9; column 8, lines 45-56; column 11, lines 34-36; column 15, lines 36-

46);

retrieving messages from said storage area based on a choosing category

(figures 16 and 18); and

presenting said messages to the user (figures 2b and 4b; column 9, lines 14-38;

column 11, line 63 to column 12, line 12).

2.2   *Regarding claim 4*, O'Neal teaches text and audio messages (figure 9).

2.3   *Regarding claim 5*, O'Neal teaches text-to speech conversion (column 5, lines

43-45; column 8, lines 8-10).

2.4   *Regarding claim 16*, O'Neal teaches a voicemail system (figures 2a and 2b).

2.5   *Regarding claim 18*, O'Neal teaches e-mail and an e-mail inherently may

include a distribution list (To and Cc field).

3.   Claims 1, 3, 9-35 and 37-44 are rejected under 35 U.S.C. 102(b) as being

anticipated by Kamel et al. US 5,937,037.

3.1   *Regarding claim 1*, Kamel discloses a method of message delivery using a

message system, comprising:

receiving from a party (advertiser, for example), a message and a category

designation for the message (column 4, lines 23-40; column 7, lines 43-50; column 11,

lines 64-67; column 12, lines 1-3; column 5, lines 15-16; column 6, lines 16-17);

storing said message in a storage area corresponding to the category (column 5,

lines 59-64; column 7, lines 43-50);

retrieving messages from said storage area based on a choosing category

(column 9, lines 64-67; column 10, lines 1-11, 16-26, 55-59; column 9, lines 30-50);

presenting said messages to the user (column 9, lines 30-50; column 10, lines 6-

26).

3.2   *Regarding claim 3*, Kamel teaches that category designation is separate from

designation of intended recipients (column 4, lines 23-40; column 5, lines 15-16, 58-64;

column 6, lines 16-17);

3.3   *Regarding claim 9*, Kamel teaches distribution parameters (column 11, line 64

to column 12, line 4).

3.4   *Regarding claims 10 and 14*, Kamel teaches matching distribution parameters

(column 11, line 64 to column 12, line 11; column 5, lines 15-16, 31-34; column 6, lines

16-17).

3.5   *Regarding claims 11 and 12*, Kamel teaches a message retaining period

(expiration parameter) (column 12, lines 21-27).

3.6   *Regarding claim 13*, Kamel teaches receiving distribution parameters (column

5, lines 31-34; column 11, line 64 to column 12, line 4).

3.7   *Regarding claim 15*, Kamel teaches incrementing a counter for said message

(column 19, lines 25-35).

3.8   *Regarding claim 16*, Kamel teaches a voice messaging system (column 4, lines

40-44, 55-65; figure 6A, step 624).

3.9   *Regarding claim 17*, Kamel teaches:

       providing the messaging system to place a call to the party (column 10, lines 9-

11; column 13, lines 16-24);

       providing a user to subscribe to the messaging system, including receiving future

message from the party (column 12, lines 4-7); and

identifying future messages from the party (column 11, line 64 to column 12, line 17).

3.10   *Regarding claim 18*, Kamel teaches distribution parameters (column 11, line 64 to column 12, line 4) and a message retaining period (expiration parameter) (column 12, lines 21-27).

3.11   *Regarding claim 19*, Kamel teaches matching distribution parameters (column 11, line 64 to column 12, line 11; column 5, lines 15-16, 31-34; column 6, lines 16-17).

3.12   *Regarding claim 20*, Kamel teaches a message retaining period (column 12, lines 21-27).

3.13   *Regarding claim 21*, Kamel teaches incrementing a counter for said message (column 19, lines 25-35).

3.14   *Regarding claim 22*, Kamel teaches a method of receiving messages, comprising:

accessing a message system having a plurality of messages stored in categorized storage areas (queues), wherein categories of said categorized storage areas are independent of intended recipients of said messages (column 4, lines 23-40; column 5, lines 15-16, 58-64; column 6, lines 16-17);

choosing at least one of said categories to obtain at least one chosen category

(column 9, line 64 to column 10, line 9);

retrieving messages from said chosen category (column 10, lines 6-9, 24-25);

and

incrementing counters for said messages when said messages are retrieved,

each of said counters associated one of said messages input to said message system

by a party, each of said counter accessible by said party for determining a number of

times said one of said messages is retrieved (column 19, lines 25-35, 53-55).

3.15 **Regarding claim 23**, Kamel teaches placing a call to the party (column 10, lines

9-11).

3.16 **Regarding claim 24**, Kamel teaches:

subscribing to the messaging system, including receiving future messages from

the party (column 12, lines 4-7); and

identifying said future messages from the party (column 11, line 64 to column

12, line 17); and

searching each of said categories to retrieve said categories to retrieve

messages for a subscriber (figure 5; column 9, lines 27-50).

3.17 **Regarding claim 25**, Kamel teaches:

subscribing to the messaging system by a user, including receiving future

messages from the party (column 12, lines 4-7); and

identifying said future messages from the party (column 11, line 64 to column

12, line 17);

forwarding the messages to a personal message storage area for said user

(column 4, lines 66-67; column 5, lines 54-58);

searching each of said categories to retrieve said categories to retrieve

messages for the user (figure 5; column 9, lines 27-50).

3.18 **Regarding claim 26**, Kamel teaches a voice messaging system (column 4, lines

40-44, 55-65; figure 6A, step 624).

3.19 **Regarding claim 27**, Kamel teaches:

providing the messaging system to place a call to the party (column 10, lines 9-

11; column 13, lines 16-24);

providing a user to subscribe to the messaging system, including receiving future

message from the party (column 12, lines 4-7); and

searching each of said categories to retrieve said categories to retrieve

messages for the user (figure 5; column 9, lines 27-50).

3.20 **Regarding claims 28 and 32**, Kamel discloses an apparatus for receiving and

storing messages, comprising:

an input controller to receive and categorize messages from a sponsor to obtain

categorized messages (figures 3A and 3B; column 11, line 64 to column 12, lines 3;

column 4, lines 40-44);

a plurality of categorized storage area (queues) for storing the messages

(column 4, lines 23-40; column 5, lines 15-16, 58-64; column 6, lines 16-17); and

an access controller for receiving, from the user, a selection of at least one of

said categorized storage area to obtain a selected categorized storage area, to

retrieving said categorized messages from said selected categorized storage area, and

to present said categorized messages the user (column 9, lines 64-67; column 10, lines

1-11, 16-26, 55-59).

3.21 **Regarding claim 29**, Kamel teaches a voice mail system (column 4, lines 40-44,

55-65; figure 6A, step 624).

3.22 **Regarding claim 30**, Kamel teaches a voice response unit (figure 7, item 720;

column 13, line 66 to column 14, line 2).

3.23 **Regarding claim 31**, Kamel teaches subscriber databases (column 12, lines 3-7;

column 5, lines 36-42; column 4, lines 40-44).

3.24 **Regarding claim 33**, Kamel teaches a list of categories (column 5, lines 59-64;

column 10, lines 55-58).

3.25 *Regarding claim 34*, Kamel teaches that categories are separated from intended users (column 5, lines 59-64).

3.26 *Regarding claim 35*, Kamel teaches providing the messaging system to place a call to the party (column 10, lines 9-11; column 13, lines 16-24).

providing a user to subscribe to the messaging system, including receiving future message from the party (column 12, lines 4-7); and

identifying future messages from the party (column 11, line 64 to column 12, line 17).

3.27 *Regarding claim 37*, Kamel teaches placing a call to the party (column 10, lines 9-11).

3.28 *Regarding claim 38*, Kamel teaches distribution parameters (column 11, line 64 to column 12, line 4), and matching distribution parameters (column 5, lines 15-16, 31-34; column 6, lines 16-17).

3.29 *Regarding claims 39 and 43*, Kamel teaches a message retaining period (column 12, lines 21-27).

3.30 **_Regarding claims 40 and 44_**, Kamel teaches incrementing a counter for said

message (column 19, lines 25-35).

3.31 **_Regarding claim 41_**, Kamel teaches a voice mail system (column 4, lines 36-44,

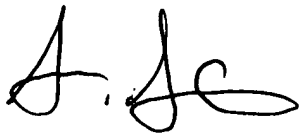55-65; figure 6A, step 624).

3.32 **_Regarding claim 42_**, Kamel teaches distribution parameters (column 11, line 64

to column 12, line 4), and matching distribution parameters (column 5, lines 15-16, 31-

34; column 6, lines 16-17).

Conclusion

4.   Any inquiry concerning this communication or earlier communication from the

examiner should be directed to Simon Sing whose telephone number is 571-272-7545.

The examiner can normally be reached on Monday - Friday from 8:30 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Fan Tsang, can be reached at 571-272-7547. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300. Any

inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is 571-272-2600.

S. Sing

01/08/2008